

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE:	§	CHAPTER 11
	§	
DARYL GREG SMITH and,	§	CASE NO. 21-60162-RBK-11
CANADIAN RIVER RANCH, LLC	§	CASE NO. 21-60163-RBK-11
	§	Jointly Administered Under
	§	Case No. 21-60162-rbk
Debtors.	§	

NOTICE OF AUCTION AND SALE HEARING

PLEASE TAKE NOTICE that on April 9, 2021 (the “**Petition Date**”), Daryl Greg Smith (“**Smith**”) and Canadian River Ranch, LLC (“**CRR**” and together with Smith, the “**Debtors**”) each filed a voluntary petition for relief under the Bankruptcy Code filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code. On June 29, 2021, the United States Bankruptcy Court for the Western District of Texas, Austin Division (the “**Bankruptcy Court**”) approved the appointment of Gregory S. Milligan as chapter 11 trustee for the Debtors (the “**Trustee**”).

PLEASE TAKE NOTICE that on May 11, 2023, the Bankruptcy Court entered an order (the “**Bid Procedures Order**”) approving the Trustee’s Motion for (I) Order Approving: (A) Bid Procedures, Including Approval of Stalking Horse Bidder; (B) Notice of Auction and Sale Hearing, and (C) Related Relief and (II) Order (A) Approving the Sale of Real Estate Free and Clear of All Liens, Claims, Encumbrances and Other Interests Pursuant to Bankruptcy Code Sections 105, 363(b), (f), and (m), and 503, (B) Granting Related Relief (the “**Sale Motion**”), filed by the Trustee. The Sale Motion and Bid Procedures Order also sought to establish (i) an auction (the “**Auction**”) and (ii) a final hearing (the “**Sale Hearing**”) to approve the sale of certain real estate set forth in the Maynor Contract (the “**Property**”) owned by (i) the estates of the Debtors, (ii) Darren Keith Reed, and (iii) Joyce Reed (collectively, the “**Sellers**”) (together, the “**Sellers**”), all as more fully described in the Sale Motion.

PLEASE TAKE FURTHER NOTICE that pursuant to the Bid Procedures Order, the Trustee is authorized to enter into the Maynor Contract with the Stalking Horse Bidder for the Property.

PLEASE TAKE FURTHER NOTICE that pursuant to the Bid Procedures Order, if the Trustee receives one or more timely and acceptable Qualified Bids (as defined in the Bid Procedures Order) for the Property, the Auction shall take place on **June 8, 2023 at 10:00 a.m. (prevailing Central Time)** in open Court or such other location as designated by the Trustee in a notice to all Qualified Bidders. Parties shall appear via Webex² video at <https://us->

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Sale Motion.

² Additional instructions and information on using Webex may be found on the Court’s website at <https://www.txwb.uscourts.gov/txwbvirtualhearings>.

courts.webex.com/meet/King. Only parties that have submitted a Qualified Bid, as set forth in the Bid Procedures Order, by no later than **June 5, 2023, at 5:00 p.m. (prevailing Central Time)** (the “**Bid Deadline**”) may bid at the Auction. Any party that wishes to take part in this process and submit a bid for the Property must submit their competing bid prior to the Bid Deadline and in accordance with the Bid Procedures.

PLEASE TAKE FURTHER NOTICE that the Sale Hearing to consider approval of the sale of the Property to the winning bidder at the Auction, free and clear of all liens, claims, encumbrances and other interests, will be held before the Honorable Ronald B. on **June 8, 2023 at 10:00 a.m. (prevailing Central Time)**, or at such other time as the Court is available. Parties shall appear via Webex video at <https://us-courts.webex.com/meet/King> (see fn. 2).

PLEASE TAKE FURTHER NOTICE that objections to the sale, if any, must be filed with the Bankruptcy Court and served so as to be actually received by the Objection Recipients no later than **June 5, 2023, at 5:00 p.m. (prevailing Central Time)**.

PLEASE TAKE FURTHER NOTICE that the Objection Recipients are (i) the Trustee, Gregory Milligan, 8911 N. Capital of Texas Highway, Suite 2120, Austin, TX 78759, gmilligan@harneypartners.com; (ii) attorneys for the Trustee, Holland & Knight LLP, Attn: Morris Weiss, 100 Congress Avenue, 18th Floor, Austin, TX 78701, morris.weiss@hklaw.com; (iii) the Office of the United States Trustee, Attn: Gary W. Wright, 903 San Jacinto Blvd., Room 230, Austin, TX 78701, gary.wright3@usdoj.gov; (iv) counsel to the Stalking Horse Bidder, Micah Dortch, 2911 Turtle Creek Blvd., Suite 1000, Dallas, TX 75219, micah@dll-law.com; (v) counsel to Karen Annette Smith, Edwin Paul Keiffer, Rochelle McCullough, LLP, 325 N. St. Paul Street, Suite 4500, Dallas, TX 75201, pkeiffer@romclaw.com; and (vi) counsel to Keith Reed, Rene Escobedo, 6800 Park Ten Blvd., Suite 135-E, San Antonio, TX 78213, rene.escobedo@rre-law.com.

PLEASE TAKE FURTHER NOTICE THAT UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN ACCORDANCE WITH THIS NOTICE, IT MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT, AND THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE SALE MOTION WITHOUT FURTHER HEARING AND NOTICE.

PLEASE TAKE FURTHER NOTICE that this Notice of Auction and Sale Hearing is subject to the fuller terms and conditions of the Sale Motion and the Bid Procedures Order, with such Bid Procedures Order controlling in the event of any conflict, and the Trustee encourages parties in interest to review such documents in their entirety. Parties interested in receiving more information regarding the sale of the Property and/or copies of any related document, including the Sale Motion, the Maynor Contract filed in connection with the Sale Motion, or the Bid Procedures Order, may make a written request to Holland & Knight, LLP, Morris D. Weiss, 100 Congress Avenue, 18th Floor, Austin, Texas 78701, morris.weiss@hklaw.com. In addition, copies of the Sale Motion, the Bid Procedures Order and this Notice may be examined by interested parties on the Court’s electronic docket for the Debtors’ chapter 11 cases, which is posted on the Internet at PACER for a fee (a PACER login and password are required and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov).

Dated: May 12, 2023
Austin, Texas

Respectfully submitted,

HOLLAND & KNIGHT, LLP

By: /s/ Morris D. Weiss

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COUNSEL TO GREGORY S. MILLIGAN,
CHAPTER 11 TRUSTEE

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document has been served upon the parties listed below and on all parties on the attached service list by email and/or by first class mail, or electronically via the Court's ECF system on May 12, 2023.

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